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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10

11 OTAY RIVER CONSTRUCTORS, a joint  
venture of the WASHINGTON GROUP  
12 INTERNATIONAL, INC. and FLUOR  
ENTERPRISES, INC.,

13 Plaintiff,  
14

15 v.

16 ZURICH AMERICAN INSURANCE  
COMPANY, an Illinois corporation, and  
DOES 1 through 10, inclusive,  
17

18 Defendant.  
19

20 SOUTH BAY EXPRESSWAY, LP., a  
California limited partnership,  
21

22 Defendant-In-Intervention.  
23

Case No. 06CV 2631BTM (WMc)

**ORDER RE RESOLUTION OF  
INSURANCE ISSUES BETWEEN  
PLAINTIFF AND DEFENDANT-IN-  
INTERVENTION**

The Hon. Barry T. Moskowitz

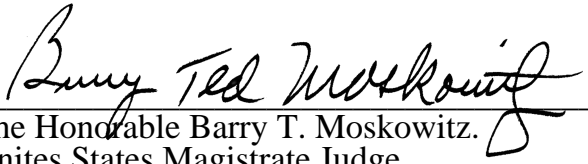
24 Pursuant to the stipulation between plaintiff, OTAY RIVER CONSTRUCTORS  
25 (“ORC”), and defendant-in-intervention, SOUTH BAY EXPRESSWAY, LP (“SBX”), and  
good cause appearing therefor,

26 IT IS HEREBY ORDERED that pursuant to ORC’s complaint, SBX’s answer-in-  
27 intervention, and the stipulation between ORC and SBX, the Court is empowered to  
28 resolve all disputes between ORC and SBX pertaining to the amount and/or apportionment

1 of any deductible liability that may exist in connection with ORC's claim for insurance  
2 benefits under the Zurich policy which is the subject of this action.

3 IT IS SO ORDERED.

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6 Dated: May 8, 2007

  
The Honorable Barry T. Moskowitz.  
United States Magistrate Judge